

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

NOV 25 2022

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Department of Water Resources
Eastern Region

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "Yes" in the "Split?" column. If the water right is leased to the Water Supply Bank, check "Yes". If you are not sure if the water right is leased to the Water Supply Bank, see #7 of the instructions. **DE ✓**

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
29-12083 OK	Yes ☐	Yes ☐		Yes ☐	Yes ☐
29-4012A OK	Yes ☐	Yes ☐		Yes ☐	Yes ☐
29-4012B OK	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Waterwheel LLC
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Shoshone-Bannock Tribes
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or
PO Box 306 Fort Hall ID 83203
Mailing address City State Zip
208-478-3781 mgray@sbtribes.com
Telephone Email
4. If the water rights and/or adjudication claims were split, how did the division occur?
☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.
5. Date you acquired the water rights and/or claims listed above: 07/21/2021
6. Do you own the land identified as the water right place of use? Yes ☒ No ☐
 o If no, attach evidence that written notice of the change of water right ownership has been delivered to the landowner of record.
7. This form must be signed and submitted with the following **REQUIRED** items:
☒ A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
☒ Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
☒ Filing fee (see instructions for further explanation):
 o \$25 per undivided water right.
 o \$100 per split water right.
 o No fee is required for pending adjudication claims.
☐ If water right(s) are leased to the Water Supply Bank AND there are multiple owners, a Lessor Designation form is required.
☐ If water right(s) are leased to the Water Supply Bank, the individual owner or designated lessor must complete, sign and submit an IRS Form W-9.

SUPPORT DATA

IN FILE # 29-4012A

8. Signature: [Signature] General Counsel 9-6-22
 Signature of new owner/claimant Title, if applicable Date
Monte Gray, Shoshone-Bannock Tribes
 Print name

Signature: _____
 Signature of new owner/claimant Title, if applicable Date
 Print name

For IDWR Office Use Only:

Received by CTH Date 11/25/22 Receipt No. E048760 Receipt Amt. \$75.00
 Active in the Water Supply Bank? Yes ☐ No ☐ If yes, forward to the State Office for processing W-9 received? Yes ☐ No ☐
 Name on W-9 _____ Approved by JB Processed by JB Date 11/29/2022
 NOV 29 2022

WARRANTY DEED

For Value Received, Waterwheel, LLC an Idaho limited liability company, ("Grantor"), hereby grants, bargains, sells and conveys unto Shoshone-Bannock Tribes, ("Grantee") the premises located in Power County, Idaho, and legally described below:

See Attached Exhibit A

Grantee's address is provided below:

P. O. Box 306
Fort Hall, ID 83203

Grantor conveys said premises, with their appurtenances, to Grantee and to its successors and assigns to have and to hold forever. Grantor does hereby covenant to and with Grantee that Grantor owns said premises in fee simple, that the premises are free from all encumbrances, except as otherwise provided below, and that Grantor will forever warrant the title to said premises.

Notwithstanding the foregoing, this conveyance is subject to the exceptions listed in Exhibit B and to the real property taxes for 2021 and subsequent years; and further subject to federal patents; building or use restrictions; building and zoning regulations and ordinances of any governmental unit; all rights of way and easements of record; encumbrances which are not shown by public records and which were created prior to Seller's ownership of the property; discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by the public records; and unpatented mining claims.

GRANTOR:

Waterwheel, LLC

Date: 07-20-2021

By: Jerry Roger Kent, Manager
Jerry Roger Kent, Manager

STATE OF CALIFORNIA)
: ss.
County of _____)

On this _____ day of July, 2021, before me, the undersigned, a Notary Public in and for said State, personally appeared Jerry Roger Kent, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument. I certify under PENALTY or PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

(SEAL)

NOTARY PUBLIC FOR CALIFORNIA
Residing at: _____
Commission Expires: _____

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of Riverside

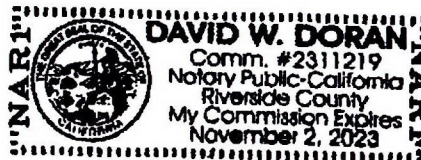
On 07/20/2021 before me, David W. Doran, Notary Public
(insert name and title of the officer)

personally appeared Jerry Roger Kent
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal

Signature David W. Doran (Seal)



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NOV 29 2022

EXHIBIT "A"

552166

Parcel 1:

That portion of the South $\frac{1}{2}$ of the Northeast $\frac{1}{4}$, and Lots 1 and 2, Section 1, Township 6 South, Range 33 East, Boise Meridian, Power County, Idaho, described as follows:

BEGINNING at the center $\frac{1}{4}$ corner of said Section 1;
Thence North $0^{\circ}06'$ East along the meridional center line of said Section, 1019.3 feet;
Thence North $46^{\circ}50'$ East, 1370 feet, more or less to the Portneuf River;
Thence following the stream, in courses and distanced approximately as follows:
South $51^{\circ}18'$ East, 530 feet;
Thence North $83^{\circ}42'$ East, 540 feet;
Thence South $64^{\circ}35'$ East, 420 feet;
Thence South $65^{\circ}45'$ East, 370 feet, more or less to an intersection with the East line of said Section 1;
Thence South along the East line of said Section, 1360 feet, more or less, to the East $\frac{1}{4}$ corner of said Section;
Thence North $89^{\circ}22'$ West, along the latitudinal center line of said Section, 2659.5 feet, more or less to the POINT OF BEGINNING.

And:

BEGINNING at the center $\frac{1}{4}$ corner of said Section 1;
Thence North $0^{\circ}06'$ East along the meridional center line of said Section, 1019.3 feet to the TRUE POINT OF BEGINNING;
Thence North $46^{\circ}50'$ East, 1370 feet, more or less, to the Portneuf River;
Thence following said river in a North and Northwesterly direction to a point on the North line of said Section, 70 feet, more or less, East of the North $\frac{1}{4}$ corner of said Section;
Thence West along the North line of said Section, 70 feet, more or less, to the North $\frac{1}{4}$ corner of said Section 1;
Thence South on the meridional center line of said Section, 1620.7 feet, more or less to the TRUE POINT OF BEGINNING.

Except therefrom that portion of said land described as follows:

BEGINNING at the Northeast corner of the Northwest $\frac{1}{4}$ of said Section 1;
Thence South 30 feet, more or less to an intersection with the South right of way line of County Road, the TRUE POINT OF BEGINNING;
Thence South 1566.6 feet;
Thence North $46^{\circ}48'$ East 685.5 feet;
Thence North $16^{\circ}03'$ West 924.42 feet, more or less, to the Westerly Bank of Portneuf River;
Thence North $45^{\circ}53'$ West, 301.6 feet, more or less, to the South right of way line of road;
Thence South $89^{\circ}53'$ West 28.6 feet, more or less, to the TRUE POINT OF BEGINNING.

Also except therefrom that portion of said land described as follows:

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NOV 29 2022

BEGINNING at a point 25 feet North of the Southeast corner of the Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of said Section;

Thence due West, 174 feet;

Thence Northeasterly 430.70 feet, more or less, to a point on the East line of said Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$, which point bears North 394 feet from the POINT OF BEGINNING;

Thence South 394 feet to the POINT OF BEGINNING.

Parcel 2:

That portion of Lot 5, Section 6, Township 6 South, Range 34 East, Boise Meridian, Power County, Idaho, described as follows:

BEGINNING at the Southwest corner of said Lot 5, Section 6;

Thence along the West line of said Section 6, North 894.75 feet to the TRUE POINT OF BEGINNING;

Thence South $79^{\circ}09'$ East, 567.71 feet;

Thence South $36^{\circ}41'$ East, 440.50 feet;

Thence South $25^{\circ}57'$ East, 415.00 feet;

Thence North $64^{\circ}23'$ East 86.50 feet, more or less, to the center line of the Portneuf River;

Thence in a Northwesterly direction along the meandering center line of the Portneuf River, 1799.50 feet, more or less, to the intersection with the West line of said Section 6;

Thence along said West line of said Section, South 443.76 feet, more or less, to the TRUE POINT OF BEGINNING



1. Any defect, lien, encumbrance, adverse claim, or other matter that appears for the first time in the Public Records or is created, attaches, or is disclosed between the Commitment Date and the date on which all of the Schedule B, Part I—Requirements are met.
2. Rights or claims of parties in possession not shown by the public records.
3. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land.
4. Easements, or claims of easements, not shown by the public records.
5. Any lien, or right to a lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
6. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights or easements appurtenant to water rights, claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the public records.
7. Taxes or special assessments which are not shown as existing liens by the public records of any taxing authority that levies taxes or assessments on real property or by the public records. Proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
8. Taxes, including any assessments collected therewith, for the year 2021 which are a lien not yet due and payable.
9. An easement for the purpose shown below and rights incidental thereto as set forth in document:
Granted To: Idaho Power Company
Purpose: Public Utilities
Recorded: July 30, 1937
Book: 28, Page: 47
10. Rights of the State of Idaho in and to that portion of said premises, if any, lying in the bed or former bed of the Portneuf River, if it is navigable.
11. Any question of location, boundary or area related to the Portneuf River, including, but not limited to, any past or future changes in it.
12. Any prohibition or limitation on the use, occupancy, or improvements of the Land resulting from the rights of the public, appropriators, or riparian owners to use any waters, which may now cover the Land or to use any portion of the Land which is now or may formerly have been covered by water.
13. The right of use, control, or regulation by the United States of America in exercise of power over navigation.
14. Any difference in the mean high water line of the Portneuf River and the meander line as shown by government survey.
15. Terms, provisions, covenants, conditions, definitions, options, obligations and restrictions, contained in a document
Purpose: Resolution of the Power County, Idaho Commissioners Forming the Power County Mosquito Abatement District
Recorded: November 25, 2008
Instrument No.: 195168
16. Terms, provisions, covenants, conditions, definitions, options, obligations and restrictions, contained in a document
Purpose: Power County Resolution No. 2009-03
Recorded: March 16, 2009
Instrument No.: 195797

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NOV 29 2022

17. Terms, provisions, covenants, conditions, definitions, options, obligations and restrictions, contained in a document
Purpose: Power County Ordinance #2010-03
Recorded: November 24, 2009
Instrument No.: 197298
18. Terms, provisions, covenants, conditions, definitions, options, obligations and restrictions, contained in a document
Purpose: Power County Resolution #2010-04
Recorded: December 16, 2009
Instrument No.: 197413
19. This policy does not insure against loss or damage by reason of any claim or allegation that the estate or interest insured by this policy is not enforceable by reason of any claim of sovereign immunity

Any right or claim, whether or not of record, including but not limited to any right of possession or claim for damages relating to the land, which has or may be asserted, by or on behalf of any Indian or Indian tribe arising out of any treaty or other transfer of land based on the Indian Non-Intercourse Act of 1790, or any similar state or federal law.

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NOV 29 2022

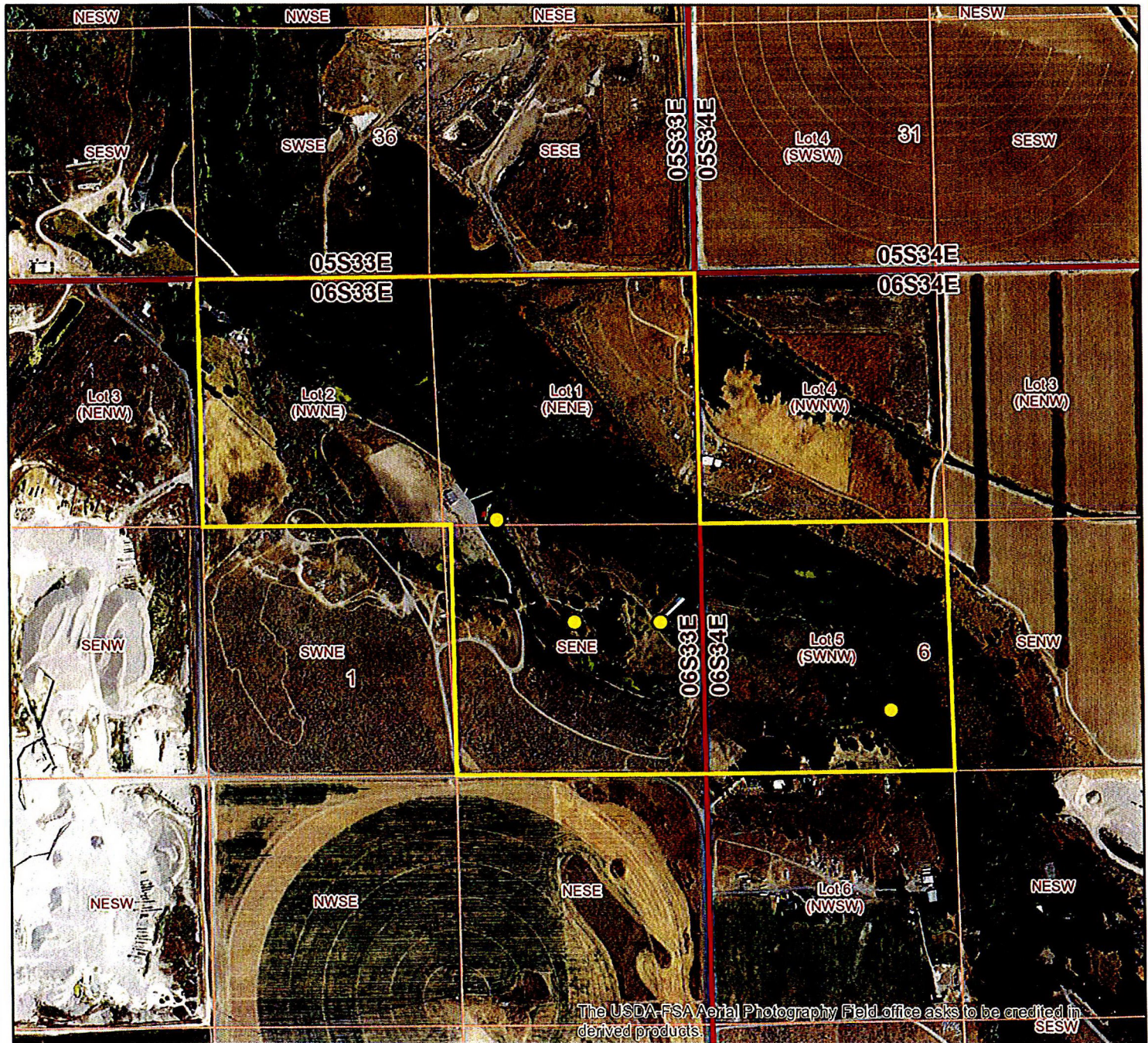
State of Idaho
Department of Water Resources

Water Right

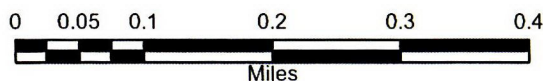
29-4012A

FISH PROPAGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



Date created: 9/1/2022



Legend

- Point of Diversion
- Place of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters



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NOV 29 2022

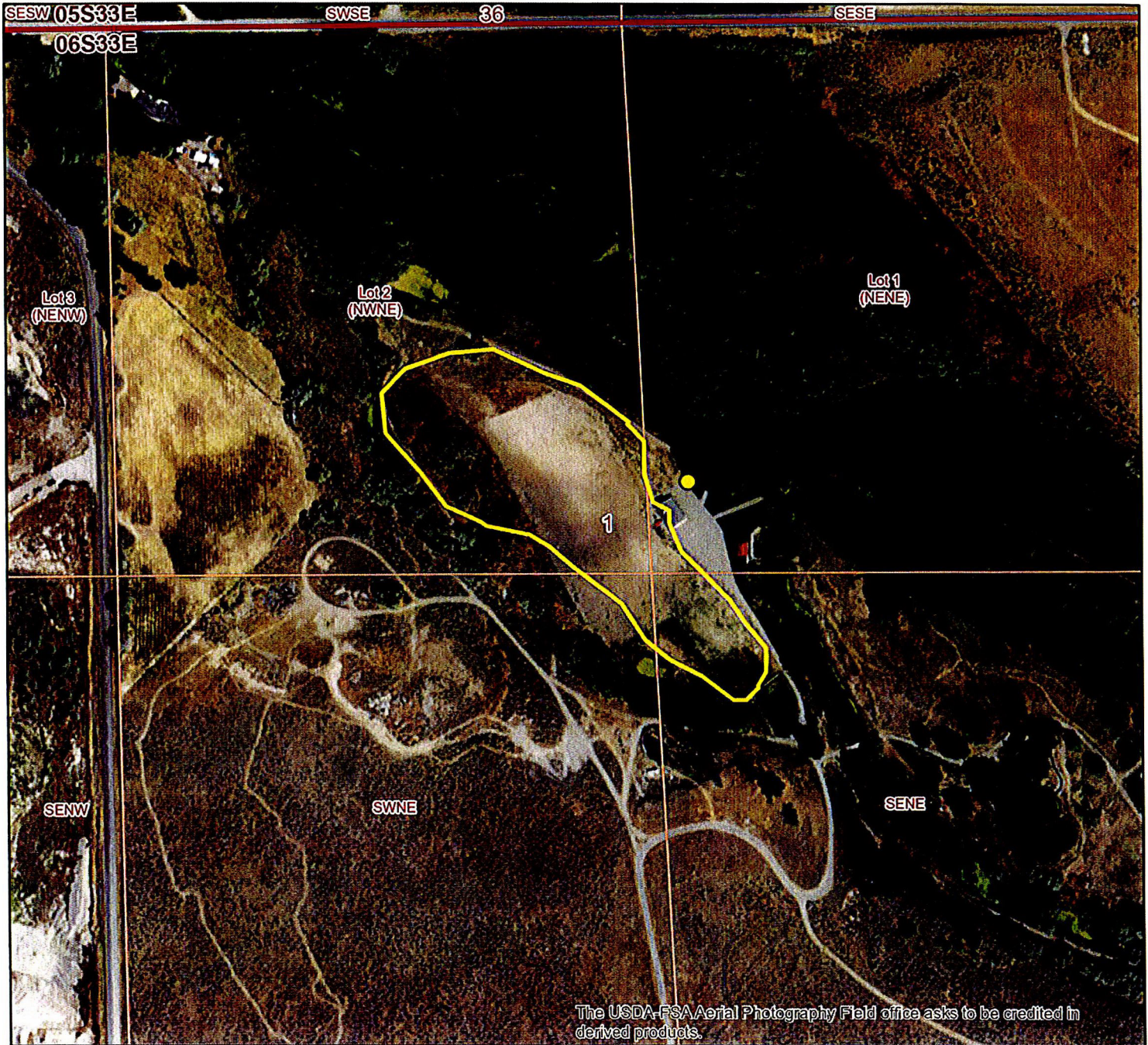
State of Idaho
Department of Water Resources

Water Right

29-4012B

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



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- Point of Diversion
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State of Idaho
Department of Water Resources

Water Right

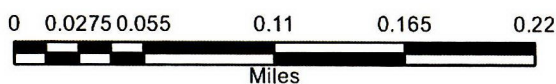
29-12083

DOMESTIC

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



Date created: 9/6/2022



Legend

- Point of Diversion
- Place of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

NOV 25 2022

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP Department of Water Resources
Eastern Region

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "Yes" in the "Split?" column. If the water right is leased to the Water Supply Bank, check "Yes". If you are not sure if the water right is leased to the Water Supply Bank, see #7 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
29-12083 <i>OK</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
29-4012A <i>OK</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
29-4012B <i>OK</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Waterwheel LLC
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Shoshone-Bannock Tribes
New owner(s) as listed on the conveyance document

PO Box 306 Fort Hall ID 83203
Mailing address City State Zip
208-478-3781 mgray@sbtribes.com
Telephone Email

4. If the water rights and/or adjudication claims were split, how did the division occur?
☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.
5. Date you acquired the water rights and/or claims listed above: 07/21/2021
6. Do you own the land identified as the water right place of use? Yes ☒ No ☐
 o If no, attach evidence that written notice of the change of water right ownership has been delivered to the landowner of record.

7. This form must be signed and submitted with the following **REQUIRED** items:
- ☒ A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
 - ☒ Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
 - ☒ Filing fee (see instructions for further explanation):
 - o \$25 per *undivided* water right.
 - o \$100 per *split* water right.
 - o No fee is required for pending adjudication claims.
 - ☐ If water right(s) are leased to the Water Supply Bank AND there are multiple owners, a Lessor Designation form is required.
 - ☐ If water right(s) are leased to the Water Supply Bank, the individual owner or designated lessor must complete, sign and submit an IRS Form W-9.

SUPPORT DATA

IN FILE # 29-4012A

8. Signature: [Signature] General Counsel 9-6-22
 Signature of new owner/claimant Title, if applicable Date
Monte Gray, Shoshone-Bannock Tribes
 Print name

Signature: _____ Title, if applicable _____ Date _____
 Signature of new owner/claimant
 Print name

For IDWR Office Use Only:

Received by Ctd Date 11/25/22 Receipt No. EO48760 Receipt Amt. \$75.00
 Active in the Water Supply Bank? Yes ☐ No ☐ If yes, forward to the State Office for processing W-9 received? Yes ☐ No ☐
 Name on W-9 _____ Approved by [Signature] Processed by [Signature] Date 11/29/2022



IDAHO DEPARTMENT OF
WATER RESOURCES

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls, ID 83402-1718

Phone: 208-525-7161 • Fax: 208-525-7177 • Email: easterninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

November 29, 2022

SHOSHONE BANNOCK TRIBES
PO BOX 306
FORT HALL ID 83203-0306

Re: Change in Ownership for Water Right No(s): 29-4012A, 29-4012B, 29-12083

Dear Water Right Holder(s):

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of the above referenced water right(s) to you. The Department has modified its records and has enclosed a computer-generated report for you.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing a Notice of Change in Water Right Ownership, the Department does not review the history of water use to determine if the right has been forfeited or deliberately abandoned through five years or more of non-use. To read more about water right forfeiture, including how to protect a water right from forfeiture, please see Idaho Code §§ 42-222 and 42-223.

Please note, water right owners are required to report any change of water right ownership and any change of mailing address to the Department within 120 days of the change. Reporting forms are available from any office of the Department, or from the Department's website.

If you have any questions concerning the enclosed information, please contact me at (208) 497-3787.

Sincerely,

Jonie Barg
Technical Records Specialist 1

Enclosure(s)

cc: WATER DISTRICT 29D

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NOV 29 2022